

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  SHELL ROCK TELEPHONE COMPANY	DOCKET NO. SPU-99-26 (TF-99-235)
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**ORDER DOCKETING TARIFF**

(Issued September 3, 1999)

On August 5, 1999, Shell Rock Telephone Company (Shell Rock) filed a proposed tariff revision to specify the fees it will charge for additional lines that are installed at customer request when existing facilities are fully utilized. The fees would be used in lieu of Shell Rock's existing line extension policy, included in its tariff as a part of its General Rules and Regulations. The tariff was identified as TF-99-235.

Shell Rock is a local exchange utility that is not subject to the Board's rate regulation authority, pursuant to IOWA CODE § 476.1 (1999), because it has fewer than 15,000 customers and access lines. Shell Rock is subject to the Board's regulations concerning service matters, including extension of facilities. Board rules require that all extensions must be made pursuant to the utility's approved extension plan. IOWA ADMIN. CODE 199-22.3(6) (1999). Absent a waiver of that rule, Shell Rock's proposed tariff provision would be in violation of the rule because it would treat one type of extension separate from Shell Rock's approved extension plan.

The Board can waive any of its rules to prevent undue hardship to any party appearing before the Board. IOWA ADMIN. CODE 199-1.3. Thus, if Shell Rock makes a showing that application of the rule would cause Shell Rock undue hardship in the circumstances addressed by the proposed tariff, then the Board can waive the extension rule and allow the tariff to become effective.

The Board also understands that Shell Rock intends to file further revisions so the tariff will better express the intent of the utility.

The Board finds that TF-99-235 should not become effective without first receiving a waiver of Rule 22.3(6). The Board will docket the proposed tariff to permit Shell Rock an opportunity to file a petition for waiver and the final revision to the tariff.

**IT IS THEREFORE ORDERED:**

The proposed tariff filed by Shell Rock on August 5, 1999, identified as TF-99-235, is docketed for investigation as Docket No. SPU-99-26.

**UTILITIES BOARD**

/s/ Allan T. Thoms

ATTEST:

/s/ Raymond K. Vawter, Jr.  
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 3<sup>rd</sup> day of September, 1999.